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6 Attorney for Nicole Marie Scuderi

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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff

12 v.

13 NICOLE MARIE SCUDERI,

14 Defendant

15 Case No. 2:21-cr-00134-CDS-DJA

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17 **STIPULATION TO CONTINUE**  
18 **SENTENCING HEARING**  
19 (Third Request)

20  
21 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.  
22 Frierson, United States Attorney, and Kimberley M. Frayn, Assistant United  
23 States Attorney, counsel for the United States of America, and Rene L. Valladares,  
24 Federal Public Defender, and Joanne L. Diamond, Assistant Federal Public  
25 Defender, counsel for Nicole Marie Scuderi, that the Sentencing Hearing currently  
26 scheduled on February 28, 2023, be vacated and continued to a date and time  
convenient to the Court, but no sooner than thirty (30) days.

This Stipulation is entered into for the following reasons:

1       1. On December 16, 2022, the government provided a restitution  
2 breakdown to defense counsel. The sum exceeds the restitution amount in the plea  
3 agreement by more than \$450,000.

4       2. The parties need additional time to investigate the discrepancy in the  
5 restitution owed.

6       3. The defendant is out of custody and agrees with the need for the  
7 continuance.

8       4. The parties agree to the continuance.

9       This is the third request for a continuance of the sentencing hearing.

10      DATED: February 16, 2023.

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12      RENE L. VALLADARES  
13      Federal Public Defender

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15      JASON M. FRIERSON  
16      United States Attorney

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18      */s/ Joanne L. Diamond*  
19      By \_\_\_\_\_  
20      JOANNE L. DIAMOND  
21      Assistant Federal Public Defender

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23      */s/ Kimberly M. Frayn*  
24      By \_\_\_\_\_  
25      KIMBERLY M. FRAYN  
26      Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:21-cr-00134-JAD-DJA

## Plaintiff

## ORDER

V.

NICOLE MARIE SCUDERI,

Defendant

10 IT IS THEREFORE ORDERED that the sentencing hearing currently  
11 scheduled for Tuesday, February 28, 2023 at 10:00 a.m., be vacated and continued  
12 to March 30, 2023, at the hour of 10:00 a.m. in courtroom 6B.

DATED this 16th day of February, 2023.

UNITED STATES DISTRICT JUDGE